

AN ORDINANCE

99401

SELECTING AND AUTHORIZING THE EXECUTION OF TWO (2) STAND-BY PROFESSIONAL SERVICES AGREEMENTS FOR ASBESTOS CONSULTING, SAMPLING, AND MONITORING SERVICES WITH ATC GROUP SERVICES, INC., AND AEHS, INCORPORATED, FOR AN AMOUNT NOT TO EXCEED \$250,000.00 IN COMPENSATION TO EACH CONSULTANT FOR ENVIRONMENTAL WORK NECESSARY TO ASBESTOS COUNSULTING, SAMPLING AND ASBESTOS OVERSIGHT IN CITY OWNED AND NON-CITY OWNED STRUCTURES; AND PROVIDING FOR PAYMENT.

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WHEREAS, two environmental consultants have been recommended and selected to assist the City in asbestos monitoring, sampling, and oversight necessary to City owned and non-City owned structures, as required by law; and one firm is an engineering group subject to highest competency standards imposed by the Texas Professional Services Procurement Act (the Act) and the other consultant , a technical services group, is held by the Act to appropriate professional competency standards; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Proposals from ATC Group Services, Inc (ATC), and AEHS, Incorporated (AEHS), are hereby accepted to provide Asbestos Monitoring, Consulting, Sampling, and Oversight necessary to City-owned and non-City owned structures.

SECTION 2. The City Manager or her designee is authorized to execute a Stand-By Professional Services Agreement, allowing for compensation in an amount not to exceed \$250,000.00, each, with both ATC and AEHS in comportment with the City's standard Integration Agreement, which agreement encompasses all contract documents, being the City's RFP / RFQ, the consultants' respective responses, and any amendments, addenda, or written adjustments to the City's solicitation, which Integration Agreement template is attached hereto as Attachment I, incorporated herein verbatim for all purposes, to be adjusted and finalized by the City Attorney. Authority of this Ordinance, pertaining to the City Manager's executing an agreement, shall expire forty-five (45) days from date of passage of this Ordinance.

SECTION 3. The instant agreement(s) shall be for a single two-year term to commence on the date the respective contracts are fully and finally executed as recited in the Integration Agreement. The termination date shall be July 3, 2006.

SECTION 4. The following financial adjustments are authorized as follows:

(a) The budget in fund 40-002103, Other Capital Projects, Street Improvements, shall be revised by increasing index code 132837, entitled Funds to Be Identified, by the amount of \$500,000.00. The Director of Finance is authorized to make the transfers necessary for the \$500,000.00 when specific projects are identified and assigned by the City Manager. Amounts will be transferred from available funding sources identified within the scope and source as the project identified and assigned by the City Manager.

(b) The amount of \$250,000.00 is appropriated in fund 40-002103, Other Capital Projects, Street Improvements, in index code 784116, entitled Environmental Consulting - ATC Group Services, Inc., and is authorized to be encumbered and made payable to ATC Group Services, Inc., for professional environmental services in connection with the Asbestos Consulting, Stand By Professional Services Agreements 2004 project.

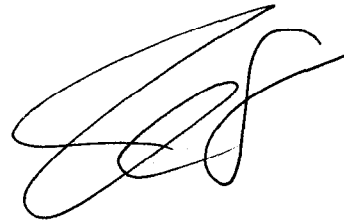
(c) The amount of \$250,000.00 is appropriated in fund 40-002103, Other Capital Projects, Street Improvements, in index code 784256, entitled Environmental Consulting - AEHS, Incorporated, and is authorized to be encumbered and made payable to AEHS, Incorporated, for professional environmental services in connection with the Asbestos Consulting, Stand By Professional Services Agreements 2004 project.


(d) The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this ordinance.

SECTION 5. This Ordinance shall be effective on July 4, 2004.

PASSED and APPROVED this 24th day of June, 2004.

Attest: 
City Clerk


for **M A Y O R**
EDWARD D. GARZA

Approved as to form: 
for **City Attorney**